education. They considered it as a road on which communism came to Afghanistan. It was only the educated people of Kabul who supported the Communist regime They thought that if they sent their children to schools "they would end up being communists," said Nancy Dupree an Afghan expert. Secondly, education was not given importance because it was not relevant to the rural environs. Farming, washing or other household chores were taught at the family level, schooling did not play any role, therfore, children were kept away from schools. After becoming refugees, they have been exposed to basic education or literacy programmes in and outside the camps. There is now a growing awareness that education is necessary for the future of the children. Inspite of the realisation large number of children neither go to school nor receive vocational training.This is evident from the fact that only 3% literacy has been recorded amongst the Afghans. This situation has been well portrayed by Sahar Ali in the article 'Children with Destiny.

"Hands which should hold pencils, carry tools and utensils. Instead of school bags children are bent under the weight of sacks of cement. Heads which should bend over books, stoop over the engines of cars in mechanic workshops. On their frail shoulders rest the livelihood of the household, too large a burden for their small frames."

This situation prevails mainly because there is a tendency to expect the children to increase the family income and helpout in making a living. Secondly, the lack of facilities in the refugee camps have made it physically impossible for thousands of children to continue their schooling.The camp schools particularly the new ones are short of the basic requirements such as furniture, books, pencils, electricity etc. Sanitation is yet another problem. School toilets are filthy without water. The environment in these school is not conducive to productive learning.Motivating the parents to send their children to schools becomes an arduous task for refugee programme officers.

A social animator at the new Nasir Bagh camp in Peshawar, spoke of the problems of children education. "A camp which houses almost 5,000 families has only one high school and four primary schools. These are tented schools. The children are made to sit on mats. The situation becomes worse when it rains. They usually catch cold and run temperature in winter. Funding is becoming a major problem and the International Rescue Committe (IRC) is going to stop its assistance, which eventually will lead to the closure of these schools." The situation is comparatively better in the old camps, as initially alot of money was poured in by international donors for education. These schools too face grim prospects in the face of severe budget cuts in internaional aid.

Outside the camps thousands of primary schools and language centres have sprouted. Education is now becoming a business and an easy way to mint money. These are mainly private and have no proper curriculum nor standard text books. The teachers too are not qualified, in most cases holding only diplomas. The students and teachers are primarily Afghans with a sprinkling of Pakistanis. These schools and centres are indicative, that there is an increasing demand for education particularly among the new refugees. According to a survey of child population in Akora Khattak tented refugee camp, 97.58% of the parents express a wish for their children, both boys and girls, to attend school.As the majority of these families come from Kabul, it is assumed that they previously have had access to education for their children. They are educating their children in the best possible way. These families normally look more favourably at formal education as they do not need to send their children to work.

The problem of education for girls is most acute in remote areas of Pakistan where most of the refugees are housed. According to the latest estimates, only 4,000 Afghan refugee girls are

receiving education, compared with more than 35,000 boys.[16] "If you are not trying to educate the refugees-especially the girl refugees-you are in danger of losing a whole generation", said Ruper Colville, a spokesman for UNHCR in Islamabad. In 1995, UNHCR, in collaboration with the World Food Programme, introduced a scheme that provided edible oil to refugee girls attending primary schools. The number of girls attending schools has doubled each year since then. Despite these minor successes, girls still make up less than 10 percent of the 60,000 refugee children enrolled in primary schools, a reflection of the extraordinary difficulties in establishing education for girls within the traditionally highly resistant Pushtun society.[17] "The refugee camps may be the last or only remaining organized, education of women in the Afghan community," said UN refugee official Marta Juarez.

The prospects of higher education in Pakistan are grim for the young Afghans. This has been voiced by a number of Afghans."The greatest hurdle for the refugees in Pakistan is lack of opportunities for higher education for their children", said, Prof. Jabbar Abdul Sabit, an Afghan scholar. Only 1% of the students get higher education. At the Pakistani colleges 4-5 seats have been reserved for Afghan students in NWFP, Baluchistan and Punjab. They have 10 seats in the Medical Colleges, 4 in the Engineering Universities, 4 in Pharmacy, 1 in BDS and 1 in each department of the University. These seats are not sufficient for all those Afghans seeking higher education. Competition is becoming stringent with the passage of time as numbers increase while opportunities remain few.

Madrassas (religious schools) have also played an importnt role in furthering the cause of education. The desire for stability has induced social and religious conservatism within the

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[16]*Khaleej Times*, UAE, 2 Sept 1997

[17]'Refugees, Migrants and Displaced Persons,' Liberal Times, Vol.V/No.1. 1997 p.13

refugee community.[18] For centuries religious teaching was the only valued type of formal education for the common population in Afghanistan. A member of a poor family could only achieve a higher status by becoming a priest or religious scholar. This trend has more or less been kept alive, as refugees (low) still send their children to *madrassas* (religious schools) to acquire education

While education is not available to all, it is opening up new possibilities for some, giving them something to do, encouraging them to look toward the future and providing structure in their lives after the chaos of flight and exile.

Impact of refugee politics on the children.

Afghan refugees were initially welcomed by Gen Zial-ul Haq , as at the time his militiary regime desperately needed political legitimacy. The country opened the doors generously, and justified their accomodation on humanitarian and religious grounds. Notwithstanding the political motives of the government, the people in general welcomed them. By 1981, Afghans had become the world's largest refugee caseload for Pakistan, attracting large scale international assistance. Some of the Afghan resistance leaders alongwith their party followers also took refuge in Pakistan. They resisted the political set up and policies of the Afghan regime. Gradually it developed into an organized resistance movement.. Pakistan supported the Afghan resistance and helped develop a guerrilla-war strategy that challenged Moscow's attempts to strengthen its position in Afghanistan anf thus pacify the country. New and young recruits were welcomed by the resistance leaders to broaden their base.The Afghan culture also played a motivating factor in this respect. In the Afghan's view, a boy is considered a man as soon as he can hold a gun,

[18] *Learning the rough way: An anthropological study into the work and education of Afghan refugee children.* Nov.1993 University of Leiden. p.31

especially during war time.[19] Boys learn to use a gun at age of 10-11. They joined the different Mujahideen groups that corresponded to their religious beliefs and ethnic or regional backgrounds. Boys who attended secondary schools organised by the political parties received military training, and went to *jihad* (religious war) after completion of their studies or during vacations.[20] At times they went to fight before the age of 15. They were mainly infused with the spirit of *jihad*. Many Afghans would argue in favour of *jihad*, considering it both right and their duty.[21] It can be a positive factor in the development of a refugee child's personal and social identity, for it symbolizes and facilitates his identification not just with the mujahideen and their armed struggle, but with all the socio-cultural and religious principles for which they stand. *jihad* also helps them understand and accept the losses they have suffered. It gives some meaning to the deaths of loved ones and to the separation from their homeland.[22] However, all do not hold the same view, they regard this as a great responsibility, which a child cannot shoulder efficiently, as they get excited and lose their lives.

The involvement of young Afghans in *jihad* go against the international norms, but Pakistan indirectly encouraged it as it has used the refugees for strategic purposes. International law states that children shall not be recruited and not to take direct part in hostiilities. It is not a question whether a child volunteers or not, recruitment is illegal. Ant recruitment into guerrilla movements

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[19] Ibid, p.18

[20] Dr.A.Rehman Zamani, 'The rights of refugee children:Victims of war and migration the case study of Afghanistan' *Making reality of children's rights,*' Stolkholm June 1989

[21] Patricia Smyke, 'Afghan Refugee Children in Pakistan' in *Afghan Refugees: A Global Concern*, Webster University, Geneva Nov.1987p.91

[22] Ibid p.91

is as illegal as recruitment into government forces.[23] The huge reservoir of young children was ready to participate . 14 and 15 year olds were anxious to participate in the *jihad* agaisnt the Soviets as it was an honourable act. They were not interested in completing their studies.

Madrassas have played an important role in grooming the Afghan youth to participate in the conflict. The government's idea of setting up madrassas for the orphans was well-received by the Afghans.They thought that it was wonderful service offered by Pakistan and considered Gen.Zia as one genuinely concerned about their plight. They were fed, sheltered and educated, in a much better environment than the camps. Most of the 8,000 religous schools in Pakistan operate with sponsorship from religious-political leaders Maulana Fazlur Rehman and Maulana Sami-ul-Haq and their political parties.[24] Teachers at the religious schools assert that no military training is given to students, but the teaching of Islam is imparted. "One learns about weapons once one has joined the holy crusade in Afghanistan.One's immediate commander teaches you all this," one student said.The students, mostly teenagers learn Quran by heart, besides undergoing a daily routine of rigorous studies. The two leading Islamic study centres, *JamiaUloom-il-Islamiyah* in Karachi and *Dar-ul-Uloom Haqqania* at Akora Khattak (NWFP) has students from 40 countries including Afghanistan, Algeria, Central Asia, US, Britain etc.[25] Even the schools received patronage from resistance leaders in the initial years of the war.

These seminaries have served as places for continued recruitment in the Afghan war.The Geneva Accords of 1988 led to the withdrawal of Soviet troops from Afghanistan but the Mujahideen carried on their *jihad* against the communist government of Dr. Najibullah. As long

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[23] Anne Skatvedt, 'Care and Protection for Refugee Children,' in *Knowledge of Facts - Willingness to Act?* Oslo, June.1993

[24] *The News International*, 30 May, 1997

[25] Ibid.

as his regime remained in power, Pakistan continued to oppose Soviet occupation via the Afghan resistance. Pakistan also continued to bear the burden of refugees.Given the historically free character of the tribal area and permeable international borders, Pakistan was in no position either to contain the influx of refugees or to effectively control the moverment of the Afghan resistance in and out of Afghanistan.[26] Refugees started to return in great numbers after Najibullah stepped down in April 1992. Civil war started in Afghanistan because of the greed and opportunism of the competing mujahideen groups and the manipulations of their foreign backers.[27] In these circumstances a new force emerged on the political scene of Afghanistan, theTaliban, who are said to have received training in the Pakistani *madrassas.*The Taliban's youthful core has never really known traditional Afghan society ; rather these recruits grew up in the Islamic boarding schools of refugee camps during the 1980s. Barnett Rubin refers to the Taliban as "an indigenous Afghan social phenomenon that started in Pakistan.[28] " Most of the Taliban government ministers and commanders are graduates from Haqqania and other institutions. We are proud of them." "Maulana Omar personally rang me up to request that I let these students go to Afghanistan on leave since they are needed in their country," said Maulana Sami-ul-Haq.[29]

In an interview broadcast by the BBC World Service on 4 October 1996, Pakistan's then Prime Minister Benazir Bhutto stated that the *madrassas* had been set up by Britain, the United States, Saudi Arabia and Pakistan during the jihad, the Islamic resistance against the Soviet occupation. She said Pakistan alone must not be held responsible for what has come out of the *madrassas.*

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[26]Rameen Moshref, *The Taliban*, The Afghanistan Forum, New York. May 1997

[27]Afghanistan the unending crisis, *Refugees,* 11-1997 pp.7-8

[28]Special Report on *The Future of Afghanistan:The Taliban, Regional Security and U.S. Foreign Policy*, U.S. Institute of Peace, March 1997 pp.5-6

[29] *The News International,* 30 May, 1997

Taliban attitude of Islamic enforcement and concept of continued *jihad* for the attainment of pure Islamic society is a product of their *madrassa* training and background. They are an outcome of systematic social engineering and political manoevring initiated by Gen. Zia to train poor orphans. The impact of refugee politics on children has not been uniform. While some children were ready to sacrifice their lives for the holy cause of liberating their country through *jihad*, others opted in continuing their studies either in *madrassas* or schools or earning a simple livelihood.

The future of Afghan refugee children

Afghan children are not only the principal victims but also the future of the country. If they are regarded as its future, than it is clear that the future of Afghanistan itself is at stake. Nearly 4 million people have already gone home, but 2.7million remain marooned in Pakistan, Iran, India and the CIScountries. The conflict inside Afghanistan is continuing sporadically and the country's economic and social structures are in ruins. This breeds uncertainty and indecision among refugees. [30]Consequently, the future of Afghanistan and Afghan refugee children is still fraught with uncertainty and it will take a long time before stable conditions develop. The Webster Study report points out that the longer Afghan children remain in Pakistan or anywhere else in refugee camps, the more worrisome are the prospects for their future, individually and collectively. Living as a refugee put the child at risk during critical stages in his physical, psychological and intellectual development.Many of these children have known a traumatic past are living in an unsettled present.

The educated Afghans are particularly worried about the bleak future of their children. The ongoing conflict does not seem to end and makes it difficult for them to chalk out the future.

[30]Afghanistan the unending crisis, *Refugees*, UNHCR 11-1997 pp.20-21

Most of them do not know what is to become of them. All say that they want to go back to their homeland once peace returns. When that will happen, nobody can predict. Pakistanis are skeptical about it, they are of the opinion that Afghans are well settled and will not leave. If the present situation remains, Pakistan will be in deep trouble in the coming years. It lacks the basic infrastructure and training facilities for its own youth, how can it deliver the needs of refugees? Secondly, even and if they return, will they be able to shoulder the heavy responsibility? They are not prepared and equipped to play a positive role in the reconstruction and stabilisation of Afghan society. The young generation lacks high education[31] and professionalism. They hardly think of their own future and just live in the present.

Is Afghanistan in a position to offer bright prospects to its own youth? According to Dr.Felix Ermacora "....acts of war are continuing, violations of human rights are at least as frequent as in the past, affecting particularly the civilian population and endangerig the lives and security of innocent men, women and children...."[32] Those who remain are impoverished and exhausted by the continuing war; the economy is in tatters; 10 million landmines are still spread through the landscape, which even makes the repatriation of refugees dangerous. According to one official report, 600 Afghans are believed to be killed or wounded by mines every month.[33] Many children surviving Afghanistan's bitter war are experiencing serious traumatic stress and say they expect to die before they grow up.[34] In the prevailing circumstances, Afghanistan does not offer much

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[31] Education is essential to economic and political development.The current practice of undervaluing education in the competition over resource allocations may prove to be destabilizing as adolescents become adults ill-equipped to assume their parental , citizenship and developmental roles.

[32]Dr.A.Rehman Zamani, The Rights of Refugee Children: Victims of War and Migration The Case of in *Making Reality of Children's Rights*,June 1989 Stolkhom

[33] *The News International*, 13 Dec. 1996

[34] See *UNICEF*'s Oct. 1997 report

and thus cannot attract the young Afghans in Pakistan.

The destiny of Afghan children is extremely uncertain as peace in the country is elusive. Refugee life is not based on deep and strong foundations. Time is not on their side, but for the time being they are trying to consolidate their lives in Pakistan.

Conclusion

Afghan refugee children in Pakistan are not leading a smooth life. The general impression of the locals is that Afghans are well protected and assisted and have no major problems. To outsiders they seem to be assimilated when they see them moving about freely in the refugee concentrated areas.The Afghan perspective is different, though they accept Pakistan's generosity of giving them a place to stay but they complain that life in Pakistan is not easy. For the children it is life away from home and term it one of displacement. Harrassment of Afghan children in the streets is common but it goes unnoticed by the concerned officials , as has not yet become a major irritant. This points out the weakness of Pakistan's protection policy towards the children. Though a signatory of the CRC, Pakistan has yet to go a long way to advocate and implement children rights.

Many of these children have received only primary level education. They have not gone further either due to economic restraints or lack of facilities for higher education. These children have little or no memory of what life was like in Afghanistan. Most of them were born in Pakistan therefore, going back to their own country and returning to normal life cannot be easily expected. Moreover, the young generation no longer trusts their country's leadership because of the continued factional fighting. Most of the children point out that their country is not yet liberated, but liberated from whom is difficult for them to answer. They lack political consciousness but want peace and a good leadership.The Afghan leasership itself has to undertake

AFGHAN REFUGEE CHILDREN IN PAKISTAN

Nasreen Ghufran

Refugee children are children first and foremost, and as children, they need special attention. As refugees, they are particularly at risk with the uncertainty and unprecedented upheavals which are increasingly making the post cold war era.

Sadako Ogata

(United Nations High Commissioner for Refugees)

Refugee children are seldom able to voice their concerns which leads to a tendency to overlook children in refugee discourses. They comprise half of the world refugee population, but have been the least discussed especially in the third world countries. Even in the developed countries these children face protection problem and endure ill-treatment The plight of the refugee children is one of the great humanitarian crises of our time as little consideration is shown for the ordeals these children are passing through or have undergone. They are the most vulnerable and deserve greater help and protection from the host countries and international community. Flight itself is a terrifying experience for children. Some are born refugees, thereby denied a normal childhood and growth. Afghan refugee children[1] in Pakistan are estimated to number between 44-50% of

[1] Afghan children refugees can be defined as 'individuals from Afghanistan who fled their country in a time of local distress and are below the age of eighteen. The individual does not necessarily have to be considered a child by him or herself, in this case, by society in general. It is unimportant if the individual is registered as an Afghan by the authorities. It is thus understood that any child who regards him or herself as Afghan, regardless of his or her official papers, will be considered an Afghan.' See Harm Van Oudenhoven *Learning the rough way:An anthropological study into work and education of Afghan children refugee children,* 1993

the challenging task of reviving the lost confidence.

The future does not hold much for the new generation of poor, sick, disabled and illiterate Afghans. The best solution to any refugee situtation is voluntary repatriation, but given the protracted conflict, complete and voluntary return is difficult.Pakistan is faced with a dilemma.It cannot fully enforce the refugee preventive strategy as its border is porous having almost 222 exit points, nor can it push them to repatriate. Owing to the high birth rate among the Afghans, the number of refugee children is further expected to rise putting great burden on the fragile economy and ecology of the country. How can their lives be consolidated in Pakistan without provoking the locals? It is an extremely difficult task, and Pakistan cannot do it without the generous support and guidance of all the refugee concerned authorities and international donors.

Pakistan needs to do the following:-

* Sign the 1951 UN Convention Relating to the Status of Refugees and spell out a clear and coherent refugee policy and take timely steps to prevent the future conflict between refugees and the locals.
* Media whether official or private should raise awareness about the CRC alongwith the plight of children affected by war.
* The Afghan Commissionerate and UNHCR should pay greater attention to the needs of refugee children as the latter have been exploited and discriminated by the adult world.
* Family planning must be publicized and its benefits highlighted to control population growth among the Afghans.

The international community must not take its hands off as the refugee children are still facing problems. It should put political pressure on the warring factions to come to a comprehensive peace agreement. It should allocate resources and funds particularly for:-

* Education and increasing the literacy rate as at present only 3% of Afghans are literate.

* Self-reliance projects.

The various agencies and NGOs should coordinate their activities to avoid wastage of the scarce resources and time. The UNHCR being overstretched at present need to shed some of its burden by delegating some of its responsibilities to UNICEF in case of children refugees.

the total refugee population. The exact figures about children are difficult to get because large number of refugees have not registered. They are mostly below the age of 15. Most of them had to wear the mantle of refugehood since their birth as they were born in Pakistan. There is very little public consciousness about the trauma of these children. Their special needs and rights have not received much attention from the Pakistani policy makers. Though the country is still among the top four countries of the world for hosting more than one million refugees[2], it is without a specific refugee policy. How are these children leading a refugee life? What is their legal status? Are they being exploited and discriminated against? Are NGOs voicing their concern about them? Does refugee politics affect the Afghan children? What is the destiny of these children?

There have been several Afghan refugee flows into Pakistan.[3] This research is only concerned with Afghan refugees since December 1979.Those who were children at that time are now young men and women.Most of the children at present are either born in Pakistan, or they arrived alongwith their families in the recent flows of 1994 &1996. The Afghan refugee children therefore, cannot be viewed as a uniform group. The needs of the newly arrived are different from those born in Pakistan. The economic status and the ethnic background of the family also influences the children's approach towards life in refugehood.Some are living in the camps and others outside. Children living in refugee villages are unlike those in the urban areas of both N.W.F.P and Baluchistan.

These children face a number of problems such as health care, education, financial difficulties, an

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[2]UNHCR, Afghan Refugee Statistics, 3 November 1997

[3] In 1973, when the Afghan monarchy was overthrown. In 1978, when the Saur Revolution occurred. The people who fled from the country were mainly opposed to the Communist ideology of the new regime in Kabul. In 1979, when President Hafizullah introduced radical reforms into the country. A major influx occurred when the Soviets intervened Afghanistan in Dec.1979. Since then there has been an ebb and flow of refugees depending on the fighting in Afghanistan.

alien environment etc. Living away from one's own country and spending childhood as a refugee is not easy. This research looks into the present condition of the Afghan children by addressing the issues of legal protection, education, discrimination and the impact of refugee politics on their lives. The psychological trauma and health problems have not been mentioned because of the limited nature of this research.

The Legal Status

The 1951 Refugee Convention and the 1967 Protocol Relating to the Status of Refugees apply to children too. A refugee child is one who has "well founded fear of being persecuted" and cannot be forced to return to the country of origin.Article 22 of the Convention is of special importance to children. According to it they must receive the "same treatment" as nationals in primary education, and treatment at least as favourable as that given to non-refugee aliens in secondary education.

There is no specific law for a refugee child but the Convention on the Rights of the Child (CRC) is an important source, as it covers every aspect of a child's life- from health and education to social and political rights. The CRC grant rights to all humans under the age of 18 years without the discrimination of sex, colour, nationality, religion, etc.The CRC has almost universally been ratified. According to article 22[4] of the CRC special protection is to be granted to children who

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[4]Article 22. State parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
For this purpose, State Parties shall provide, as they consider appropriate, cooperation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the UN to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other

are refugees or seeking refugee status, and the state's obligation to cooperate with competent organizations providing such protection and assistance.

Pakistan has not signed the 1951 UN Convention on refugees.UNHCR therefore, does not have full status, and maintains a "Mission" with a "Chief of Mission" in Islamabad. Pakistan recognises Afghan refugees and not others.The care and concern of the Afghan refugees is the responsibility of the Government of Pakistan through its Commissioner of Afghan Refugees (CAR) which is also the main implementing agency for projects funded through UNHCR.[5] Pakistan has signed the CRC with some reservation. It has declared to implement the obligations under the CRC "in the light of the principles of Islamic law and values."[6] There are strong precedents within the Islamic tradition of the treatment to be meted out to refugees. Insofar as Quranic verses are concerned the principles of verse IV:36 can be applied to children refugees as it implies to show kindness to the way-farer, the fellow traveller, the orphan and the needy.This is a derived meaning, demonstrating that even Islamic law fails to address the issue of refugee children directly. The term refugee in the sense in which the CRC envisages is not covered or the issue addressed by any law in Pakistan. The Afghan Commissionerate and the UNHCR are operating in Pakistan in a legal vacuum as the Afghan refugees were accomodated in this country pursuant to an executive order.

Afghan refugees are unique in the sense that they have constantly been moving to and fro between the home and host country. The movement has always been fluid. While still claiming to be

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child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present convention.

[5]Eva Segerstrom, *A Community Self-Help Approach; Afghan Refugee Children in Pakistan*, Radda Barnen, Pakistan 16/11/91

[6] Baela Jamil & Shaheen Sardar Ali, *The UN Convention on the Rights of the Child, Islamic Law and Pakistan Legislation:A Comparative Study*, Pakistan December 1994

refugees they would cross the border to meet their relatives, conduct business or participate in the conflict Even the children particularly those residing near the border area make several trips across the border to earn their daily livelihood. When interviewed these children didn't know anything about children rights or refugee status as most are illiterate. Their free movement makes one doubt whether they are refugees at all? When a UNHCR's official monitoring the border (atTorkham) was asked about the legal status of these Afghan children, he answered, "they are refugees. All Afghans whether they are near or far from the border have been moving freely". Their families are split, which the Afghans term as *nimkora.* The entire family does not live together e.g if the sons are engaged in business in Pakistan the father may be working in Afghanistan. Interaction among them is not a problem.The Pak-Afghan border is porous, but the refugee influxes have much depended on the situation in the country.

The situation is quite confusing in Pakistan as it signatory to the CRC but not to the 1951 UN Convention. Children accompanying their family or relatives are automatically granted legal protection and status. Most of the Afghan refugee children have come to Pakistan chaperoned by their parents or family elders. Very few cases of unaccompanied minors have been brought to the notice of the concerned officials. Children in the Afghan society are not viewed as independent human beings having rights. Similarly in Pakistan though we have signed the CRC but children rights have not attained a primary focus as the government lacks a 'child-centred' perspective. Consequently the government has not legislated accordingly[7]. The government cannot be entirely blamed for it because the policy reflects the general pshche of the society. Pakistan extended

[7]Though Pakistan has been sheltering between 3-1million refugees for the past 18 years, yet there is still an almost total legal vacuum concerning the treatment of refugees. It has no administrative structures empowered to deal with questions related to asylum. In principle non-Afghan asylum-seekers are treated by the Government of Pakistan according to the Foreigner's Act of 1946, and are considered as illegal aliens. Under the terms of this act, illegal aliens are subject to imprisonment or deportation.

protection to the Afghans in accordance with the Islamic traditions and fulfilling the basic minimums of human rights. Awareness about children rights in general and refugee rights in particular is lacking.This makes the CRC ineffective, as the document is not implemented in its true sense. Even aid organisations dealing with children are primarily concerned with their well-being and not with their legal status.

"Their legal protection is not in question as they are not faced with the problem of refoulment, the problem lies in the kind of assistance extended," said Fawad, a legal protection officer of UNHCR in Peshawar. UNHCR[8] alongwith a wide-ranging network of NGOs have been in the forefront to provide the basic live-saving and live-sustaining aid. Given the large numbers and the continuing conflict it is increasingly become difficult for the concerned agencies to carry out their activities. Afghans still remain UNHCR's biggest single refugee caseload in the world. [9]

Radda Barnen (a Swedish Save the Children agency) and the social unit of UNHCR are engaged in training social animators to promote awareness children rights in the refugee villages, but given their limited numbers they cannot reach out to all the refugees. Though 'Child-to-Child' programmes have been initiated amongst the refugees but given the situation in the country as whole, one cannot be very optimistic. Some social animators are cynical about children rights in the absence of basic human rights.The legal frameworks in Pakistan are weak and cannot by themselves ensure protection or survival of Afghan refugee children.

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[8]UNHCR, always concerned about the welfare of refugee children, has been increasingly attentive to the special needs of the youngest refugees. The establishment of the post of the Senior Coordinator for Refugee Children in 1992 was a significant step toward improving the Office's protection of and assistance to minors. In 1993, the *UNHCR Policy on Refugee Children,*was adopted. Under this policy, the Office's primary goal in regard to refugee children is to ensure their protection and and healthy development.

[9] 'Afghanistan the unending crises', *Refugees*, 11-1997

Are they being exploited and discriminated against?

It is rather a difficult question to answer. Discrimination and exploitation is hard to avoid because of the clash of humanitarian ethics with politics and economics of the host country. Fair treatement also becomes difficult when large number of refugees are involved. Pakistan's treatment of Afghan refugees has been termed humane and by and large applauded by the international donors. The Afghans have been allowed to move freely in and out of the refugee villages, to find work and set up businesses. They are competing with the locals in a fragile ecology, where the ingredients for violence are very much present but it is astonishing to note that violent incidents have not occured .Generally Afghan children are not discriminated, a point of view shared by their parents too.Whether they are studying in Pakistani schools or working they do not experience explicit discrimination. However, one does hear of crackdowns on Afghan refugees because of their involvement in various crimes. The increasing crime rate in Punjab and NWFP has been attributed to Afghan refugees. They are said to be involved in the smuggling of drugs and arms to NWFP and Punjab from tribal areas and Afghanistan.[10] Afghan refugee children in the border area of Torkham are also involved in smuggling. Hordes of these young children move in and out of Pakistan daily. They smuggle out mainly flour and oil, and smuggle in scrap. They make several trips in a day and earn about Rs 40-Rs.50 daily (usually earning Rs.5-10 per trip).The money they earn is usually taken by the father who often does nothing[11]. Usually big dealers/smugglers are behind it and the children are used as a cover up. These children do not know what is play and sound extremely mature for their age. They have been pushed to adulthood

[10] *The Nation*, 7 May 1997

[11] Most of these young children when interviewed said that they alongwith their brothers and (in some cases) sisters were the only bread earners.The father though alive seemed to sit idle and take the money earned by the children.

to face the harsh realities of life. This is the only source of survival for them. Can we blame them for what they are doing? They are ill-clad and carry on their activities irrespective of the severity of climate. They usually get beaten-up by the border guards for smuggling on a small scale. Sometimes these children meet accidents and get crushed under trucks due to the rush at the border.Is this humane? Who is to be blamed, Pakistan or Afghanistan?

Situation in the refugee villages and urban areas of NWFP though different than the border area is not devoid of discrimination. Harrassment of children in the streets is common though it does not get reported. The Afghan children[12] are extremely hard working and tough, in order to make ends meet they would do anything, from cheap labour to selling vegetables, clothes, stationery on foot paths etc. Resentment is brewing up among the locals vis-a-vis these refugees. "There is certainly a change in the feelings of the population in regard to the refugees. In a saturated employment market, they represent unfair competition to Pakistanis because they accept very low salaries," said Zaibullah Khan, deputy commissioner of Pakistan's refugee administration in N.W.F.P. The locals have lost from their small-level sources of income to major shopping centres to Afghans."Rid us of Afghan refugees feeling" is developing, as a consequence discrimination is on the rise. On the other hand various Afghan NGOs are voicing their concern about the maltreatment of refugees. Sarwar Hussaini, Director of the Cooperation Centre for Afghanistan has blamed the custodians of law-enforcing agencies for maltreatement of Afghans. He further elaborated that the Afghans are apprehended by Police under various charges and

[12] These children are quite visible whether one visits a park, a shopping centre, a bazaar or cottage industry.They can be seen repairing motor bikes, cars, or working in small hotels and tea stalls. They can be seen as picking waste items from trash, toiling as brick kiln workers, selling sweets and toys etc. Large numbers of Afghan children are in carpet weaving and shoe making as well.

sections, just to mint money as there is no specific refugee law in Pakistan.[13] Minor offenses like roadside vending become reason for police action against the resourceless kids. These children, whether in lock-ups or jails are not treated as special cases..They are usually packed in with the rest of adult detainees, which expose them to all sorts of criminals.

A close look at the issue of exploitation will give us insight of how Afghans themeselves are treating their youth. Sometimes parents expect their children to work for long hours to earn money. They don't consider it as child labour, as they are earning for their own families."I don't like carpet weaving but my mother sends me" said 13 year old Walid who is a student of class 5 in Mir Wais Baba School, Peshawar. Even some 10 year olds are helping their families in generating income. They find no time to play.Though not very common, but some Afghan children are indulging in beggary in order to support large families. Sometimes the whole family begs. Each earns about Rs. 20-.30 a day.[14] Some young girls are said to be involved in prostitution. Many Afghans are making good money of the profession. In Peshawar their dens are in Hayatabad, in Karachi they live in posh localities of Clifton and Defence.[15] Prostitution is a taboo and the issue is hardly discussed . Access to such people is difficult and therefore statistics cannot be provided. Print media though in a very limited manner has been highligting Afghan prostitution since the arrival of the 1994 influx. It had not much been heard of before that.

Are they receiving education?

Education has never been a priority among rural Afghans. Children with a rural background even now are not inclined towards education. Prior to becoming refugees these rural people despised

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[13] *The Nation,* 16 Jan 1997

[14]Survey report on Afghan refugees begging in Peshawar, June 1996 Afghan Commissionerate.Peshawar.

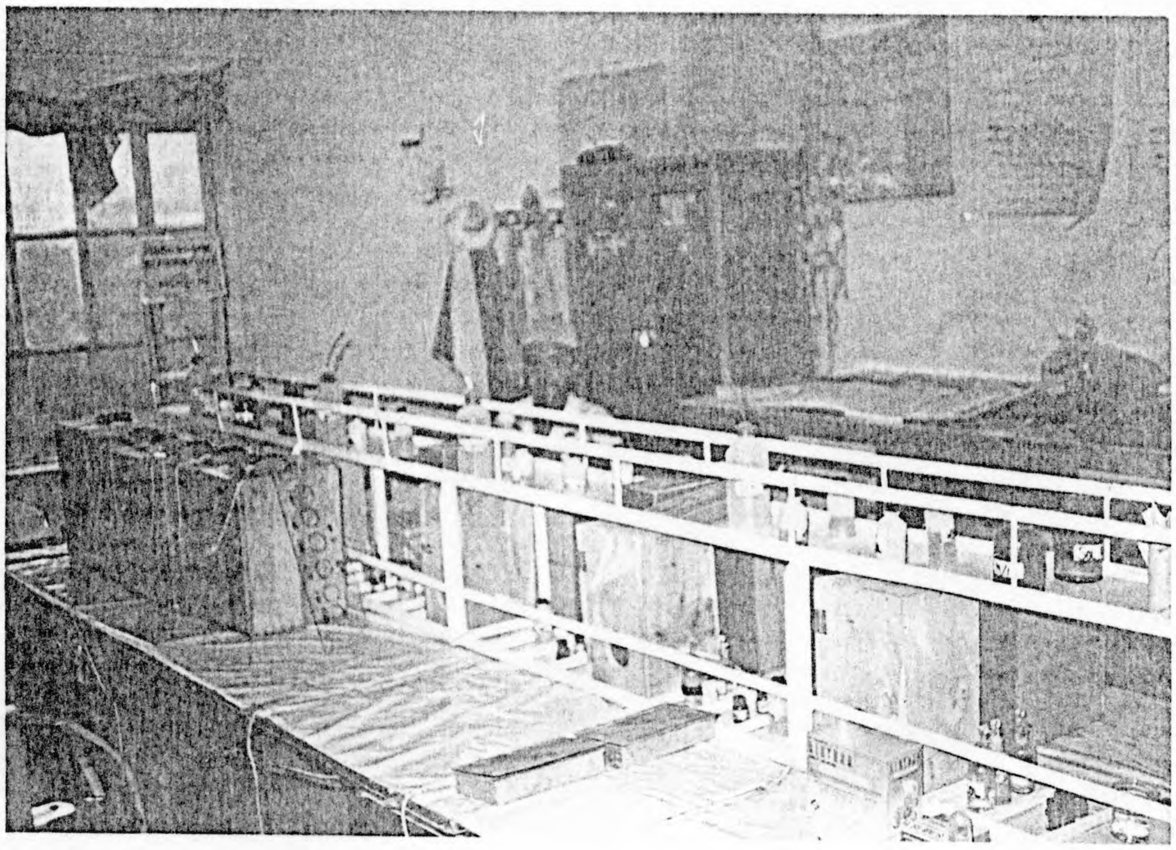
[15]*The News International,* 15 Sept. 1995

AFGHAN REFUGEE CHILDREN

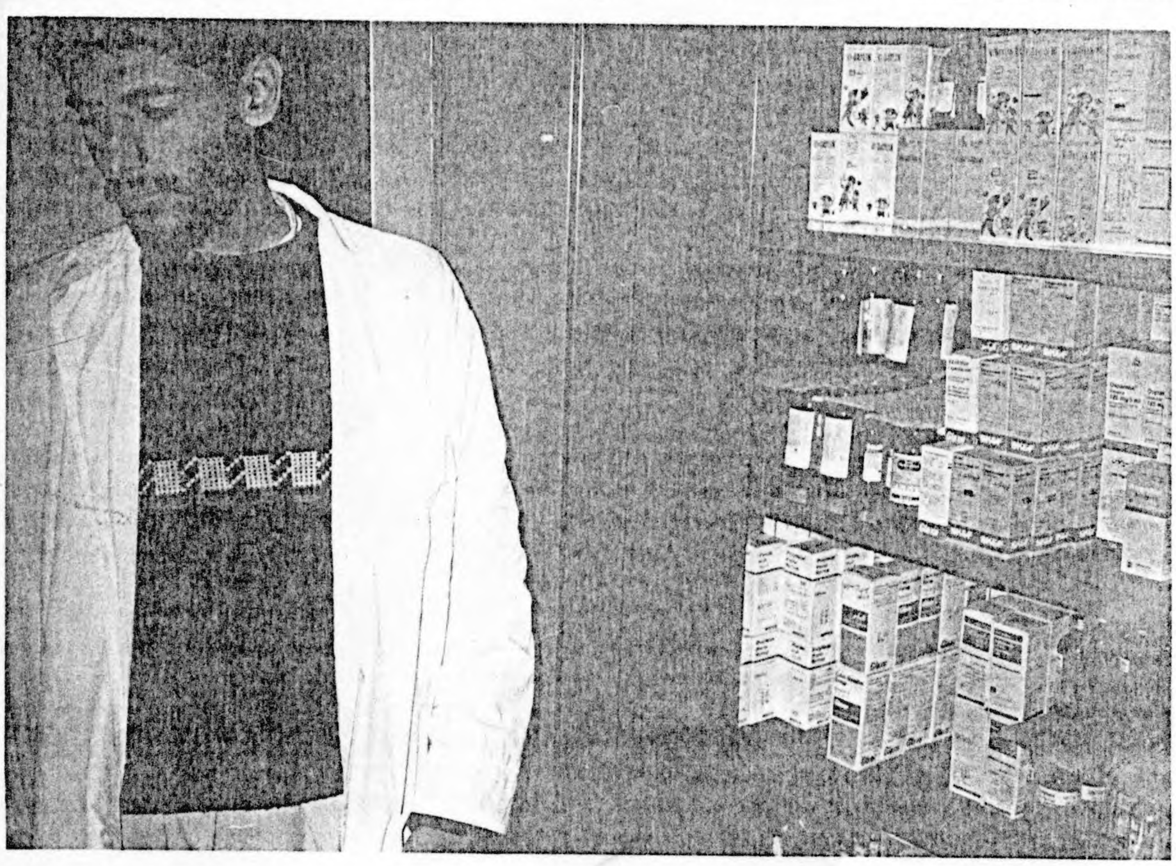
IN PAKISTAN

NASREEN GHUFRAN
INTERNATIONAL RELATIONS DEPARTMENT
PESHAWAR UNIVERSITY

PREPARED FOR THE CONFERENCE OF *SCHOLARS AND OTHER PROFESSIONALS WORKING ON REFUGEES AND DISPLACED PERSONS IN SOUTH ASIA*, BANGLADESH, ON FEB 9-11 1998



A view of IAHC laboratory equipped with necessary material.p.1994



A view of pharmacy of Quetta based OPD clinic. 1994.